



ASARCO Incorporated
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Phoenix, Arizona 85016-4240

FAX Cover Sheet

August 4, 2004

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From: Scott Thomas

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Number of Pages
Including Cover 2
Sheet:

Comments:

Signed sixth interim access agreement.

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Voluntary Consent to Access Property
Sixth Interim Agreement

The United States Environmental Protection Agency Region 8 (EPA) and ASARCO Incorporated (Asarco) previously executed on March 29, 2004 and April 8, 2004 an Interim Agreement for Voluntary Consent to Access Property for the Asarco Globe Plant (the "Old Agreement"). The Old Agreement is attached and incorporated by reference as Exhibit 1. In second and third agreements, executed by Asarco on May 3, 2004 and May 19, 2004, respectively, the parties effectively extended the terms of the Old Agreement until July 15, 2004. In a Fourth Interim Agreement, the Parties extended the Old Agreement until July 23, 2004, and in a Fifth Interim Agreement extended the deadline to July 30, 2004. In this Sixth Interim Agreement, the Parties further extend the Old Agreement until September 20, 2004. Payment shall be due by November 22, 2004 if agreement is not reached by the September 20th deadline, unless further extensions are mutually agreed to by the Parties to this Sixth Interim Agreement.

The undersigned representatives of each Party to this Agreement certify that he or she is fully authorized to enter into this Agreement of behalf of EPA and Asarco, respectively.

EPA:

By: _____

Date: _____

ASARCO Incorporated:

By: A.E. MacEntee

Date: August 3, 2004

By: 

Date: 8/4/2004